

Twelve Pages

This Week, Check Full of News.

# The Farmington Times.

Devoted To  
The Interest of Farmington and St. Francois County.

Volume 40

FARMINGTON, ST. FRANCOIS COUNTY, MO., DECEMBER 19 1913.

Number 48

## Merry Xmas.

### RHODES the JEWELER & OPTICIAN

Thanks you for your liberal patronage. Rhodes the Jeweler and Optician thanks you for progressive spirits. Rhodes the Jeweler and Optician has the courage of his convictions.

A monopoly has flourished here at your displeasure and expense growing more arrogant year by year.

#### NOW WHAT SHALL YOU SAY.

Rhodes the Jeweler and Optician extends you protection and invites your patronage and the New Year will soon say come. Why not come to-day and bring your repair work and look over my line of appropriate gifts in jewelry.

Your time will please and I save you money

**Rhodes the Jeweler & Optician**  
Cole and Nixon Building.  
Fine Repairing My Slogan. Optical Work A Specialty.

### BIG RECEIVERSHIP CASE BEFORE JUDGE HUCK

Hundreds of Thousands of Dollars Involved. Big Legal Talent Here From St. Louis and Boston.

The case of William J. Ellidge against St. Francois Lead Company, Potosi Mines Company, Potosi Lead, Baryta and Mercantile Company and others, went to trial before Judge Peter H. Huck on last Monday morning a week ago.

The history of this case is long and the details of which are neither interesting nor profitable to the general public; however, a short statement is perhaps necessary to an intelligent presentation of the news.

The Potosi Lead, Baryta and Mercantile Company, owned a tract of some 25,000 or 30,000 acres of land in Washington county and was organized with a capital stock of \$5,000,000, but M. E. Rhodes, who was then prosecuting attorney of that county, instituted legal proceedings against that company and the company reduced its capital stock down \$4,000,000, leaving to each stockholder his corresponding shares. Ellidge was one of the original promoters and organizers of this company and suggested its capital stock and suggested the lawyer who attended to it. This property was heavily mortgaged, the notes and deeds of trust being held and owned by the Lumber Trust Company of which Wm. Frank Carter was and is president.

Wm. J. Ellidge, Harry J. Cartwright and Geo. R. Williams obtained an option on the Jacob Day land and after some effort, sold this land to the Potosi Lead Company, and it executed various notes and its deed of trust on the Day property.

The Potosi Mines Company was organized in Maine at a capital of \$500,000, and used as a holding company and as such took the stock of the Potosi Mines Company over.

The property in Washington county and the "Day" property were not making enough to meet the payments on the indebtedness on each, and it seemed that both properties would be sold. Ellidge had gotten in commissions out of these properties something over one hundred thousand dollars, and Blanchard owed him something like ten or fifteen thousand dollars.

Nichols, White, Blanchard, Norris and their friends did everything within their power, at their own personal expense, to try to prevent the sale of both of these properties and asked and insisted on these plaintiffs doing their part, but they flatly refused.

The Washington county property was advertised for sale under the deed of trust; and, this of necessity would force the foreclosure on the "Day" property.

At the suggestion of A. J. Meier, General Manager of the St. Louis Smelting and Refining Company, the St. Francois Lead Company with a capital of \$500,000 was organized to separate the St. Francois County property from the Washington County property; this was due, and the "Day" property was deeded to A. O. Nichols, who in turn deeded it to the St. Francois Lead Company, and in addition to furnishing \$50,000, also, assumed all outstanding obligations and the burden of financing it. The management then optioned the "Day"

property to the St. Louis Smelting and Refining Company and by which agreement that company furnished \$50,000 with which to pay Jacob Day a then due obligation.

After the Smelting Company declined to purchase the "Day" property, it then agreed to null all the debt on a certain charge and purchase its concentrates at prevailing prices. The St. Francois Lead Company's success was assumed; it was and is a "going concern."

At this "stage of the game" Ellidge demands that he be paid his notes, then reduced to judgment against Denmar Blanchard; this he could not collect, nor could he "bulldoze" the St. Francois Lead Company in doing. He then brought this suit to force the St. Francois Company to deed back the "Day" property to the Potosi Company and asked for a receiver for the St. Francois Lead Company.

A few of the stockholders, who did not and would not come to the assistance of the owners of the "Day" property, organized themselves into a so-called "Protection Association," and proceeded to institute suits in Maine, Massachusetts, the Federal Circuit Court, each similar to the one now pending, and on last Monday asked and were permitted to file their intervening petition and to make parties plaintiff, and in doing so adopted the position of Ellidge and asked a few paragraphs for good measure.

The effort of plaintiff is to show that the syndicate—composed of Nichols, Blanchard and others—was in control of the "Day" property to these personal gain. To establish this position, numerous dispositions are being read, most of which were taken in the various other suits.

The defendants assert that each stockholder was advised by letter and written documents of every move contemplated and everything finally executed; and at a stockholders meeting, of which each had notice and knowledge, every act was approved. That the so-called syndicate saved both properties from financial ruin, by their money and efforts, that the so-called syndicate has never received in stock nor money one dollar in profits.

It would seem strange and a very dangerous precedent to establish, that after refusing to assist in preventing the financial ruin of so valuable a property, that after it has been put on its feet, a few minority stockholders would be permitted to come into court and set aside deeds and throw the property into the hands of a receiver, and thereby stop all work on this property; and all this done by a man and a committee who seemingly have but one purpose—to reap the benefits of the labor, worry and money of those who saved the day, and to force the payment of a personal financial obligation.

The case seems to be vigorously contested on each side and is being watched with good local interest.

The attorneys representing the plaintiffs are John A. Gilliam, Mackey & Mackey, and W. G. Carpenter of St. Louis, Mo., and Tyler, Connors & Eames of Boston, Mass.; and B. H. Boyer of Farmington and for the defendants are Ben H. Marbury of Farmington; Judge Edw. T. Eversole of Potosi; and Reynolds & Harlan, M. P. Murray and Sam A. Mitchell of St. Louis, Mo.

### BRILLIANT YOUNG DOG-

#### TOR PASSES AWAY.

After a Period of Several Months Illness Following a Nervous Breakdown, Dies at Hospital in Illinois.

Charles Ritchie Fleming son of the late Samuel P. and Bettie Nitong Fleming, was born on the Fleming farm three miles east of Farmington, Mo. Jan. 3rd 1869, and died at Jacksonville, Illinois, December 11, 1913 at the age of 44 years, 11 months and 8 days.

He was married to Miss Robbie Mae Ward, daughter of Major R. F. Ward of Jonesboro, Arkansas, May 21st, 1896, who preceded him in death two years, one month and two days. To this union was born one son, Samuel Ward Fleming, who survives them and is now fifteen years of age.

Dr. Fleming was graduated from the Beaumont Medical College of St. Louis, in 1893, and began the practice of medicine at Mine La Motte, Mo., soon after his graduation. Later he and his estimable family removed to his home town where he continued the practice of his chosen profession until failing health caused him to reluctantly give up his work about one year ago.

The sudden death of his younger brother, Dr. John Bartley Fleming, three years ago, the serious illness, the suffering and death of his beloved wife, two years ago, and the strain of an arduous and extensive practice proved too much for his vitality and he suffered a nervous breakdown as a result from which his overworked body and sorrow burdened mind was unable to rally and resulted in his untimely death. Dr. Fleming was converted early in life and became a member of the Christian Church, but later transferred his membership to the Presbyterian church of which his wife was a member as well as his son.

Dr. Fleming was favored with pious parents who like the patriarch Abraham had a family altar, and trained up their children in the nurture and admonition of the Lord. Not only by precept, but by example they commended their religion to their children, making it attractive in their sight. Hence early in life he headed the Sunday school, trusted in Him, and entered upon His privileged service, and ever afterward in all the relations of life let his light shine as a Christian. He was very happily married. His wife being a home maker did everything she could to promote the happiness and comfort of her husband and son, so that each could truly say, "Home, home sweet home, there's no place like home." A woman of culture and exquisite taste as well as devoted piety such she was.

Their wedded life was characterized with such exceeding harmony and happiness as to elicit the admiration of all who knew them, and we confidently expected and desired it to continue long. But God's ways are not as our ways. He has chosen His people in the furnace of affliction. Each of them was called to pass through the fiery furnace as a preparation for the entrance into the Heavenly Home. It is our privilege to regard them as dwellers in that Celestial City whose inhabitants know not sickness nor suffering, and where there shall be no more death nor sorrow, nor crying, neither shall there be any more pain for the former things have passed away. There, united with loved ones who have gone on before in the immediate presence of the Savior whom they loved and so faithfully served in this world, seeing Him that vision so appropriately called beautiful they have awaked in His likeness and are satisfied.

In the sunlight of eternity the mysteries will be made plain. Let us wait and murmur not.

"Between the mysteries of death and life, Thou standest, loving, guiding not explaining. And as we gaze upon thy pierced hand that guides the mystery wheels of Time, And this vague, dark tumult of the inner sea, Grow calm, grows bright, O risen Lord in Thee."

By miscount four pages of local news was omitted from a couple hundred of the TIMES, printed last this week.

### NOVEMBER TERM

#### COMES TO A CLOSE

After Six Weeks of Constant Session Circuit Court Closed With Largest Civil Case on Docket Here.

The November term of the Circuit Court came to a close with the end of the largest civil case that has been tried in St. Francois county. A full account of this case will be found in another column of THE TIMES. This term of court has taken up almost six weeks.

The docket of criminal cases covered the first ten days. There were four trials of criminal causes had, three of which resulted in convictions. One of these cases was against Daniel A. Nelson on the charge of obtaining money under false pretense, being a second trial on the same charge, and resulting again in the jury failing to agree. In this trial the State was assisted by Messrs. Marbury and Boyer, and it seems that the case was made a great deal stronger than previously. But review of the fact that this was the second trial and resulting as it did the court asked Mr. Benham the prosecuting attorney to seriously consider the dismissal of the case as both trials had been before a jury and resulting similarly, it being the sense of the court that conviction apparently was impossible, and it would be useless to file up further expense, which order was made on Dec. 11th being the Prosecuting Attorney through the entire term without a defeat.

The November Grand Jury was in session for two weeks and returned eleven indictments, five of which were against persons and for charges as follows: Edward Miller for horse stealing; James Lawrence, murder; James H. White, burglary and larceny; and Harry Maxey, for forgery. Each of the above were given Christmas gifts of from two to ten years imprisonment in the State penitentiary.

In view of the fact, that our young prosecuting attorney had not tried a case in the Circuit Court, that the time of his election his management of the criminal docket for the term was well done, and has resulted in the saving of several hundred dollars to the tax payers of this county, and we consider that he deserves great credit and is making good.

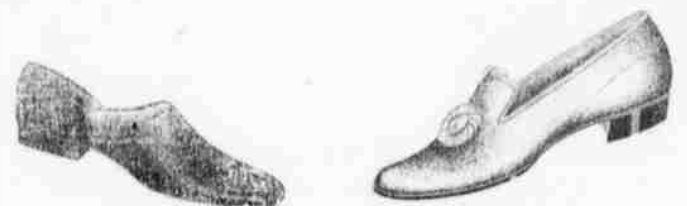
### Insults Woman-Husband Emp- ipies Shotgun into Victim.

Flat River Hill scene of Murder Wednesday. Italian Shoots Italian in Defense of Honor of Wife.

An empty shotgun and a dying Italian told the story Tuesday evening of a tragic incident that transpired on Flat River Hill, Flat River, Mo., in the home of Frank Devoil.

For a time Paul Rosse had been paying attention to the wife of Frank Devoil, and visiting the home in his absence. The woman had resented the attention of Rosse, and when last week she had refused to submit to his wishes he threatened to kill her. Tuesday evening just before six o'clock Rosse went to the Devoil home, and at the time the husband was out in the backyard. Rosse had with him a .38 caliber revolver. On coming in the house he took hold of the woman and attempted to throw her onto the bed. The woman screamed. The husband hearing the noise in the house came in at once. As he entered the door Rosse drew his revolver and attempted to fire it at Devoil, but for some reason the cartridge did not explode. Devoil, ran hastily into another room and having seized a shot gun came back fired both loads into the body of Rosse. The first shot took effect in the right shoulder, while the other entered just above the right nipple. Rosse expired almost instantly. No witnesses were present except Devoil and his wife. A young man was in a room upstairs but did not see the fracas. A coroner's inquest was held, and a jury reached the verdict that the man, Rosse, came to his death by gunshot wounds inflicted at the hands of Devoil, and that it was justifiable homicide.

FOR SALE—A dandy good hot water heater or coffee urn. Nickel plated. Burns gasoline. Just the thing for a Restaurant or Barber Shop. A bargain. For further information inquire at Times office.



## CHRISTMAS PRESENTS.

Now is the time to be buying your Christmas Gifts while stocks are still unbroken and you can get more time and attention in buying.

### FOOTWEAR MAKES MOST ACCEPTABLE GIFTS

Warm, Comfortable Slippers and Shoes, Foot Warmers, Leggings, Overshoes, fine shoes for dress wear, dainty silk hosiery, high top boots for the boys, comfortable House Slippers for the men. All make most desirable Christmas Gifts.

DO YOUR CHRISTMAS BUYING NOW

## KARSCH'S

### SUNDAY CLOSING LAW

#### TO BE ENFORCED.

An order issued Tuesday from the Prosecuting Attorney's office restraining all proprietors of billiard halls, pool rooms, etc., from opening their places on Sunday. The order became effective same date. Accompanying the order also goes the warning of the Prosecuting Attorney that the order will be enforced. It may be remembered that the order is only in harmony with the law governing the Day of rest, and the law ought to be enforced.

### STE. GENEVIEVE COUN- TY RESIDENT DEAD.

Steven Griffith, a prominent resident of Ste. Genevieve county passed away at his home at Coffman on the 10th of December. Burial took place the following day at the Honey cemetery. He is survived by the immediate family by a brother, Ed Griffith and his mother, Mrs. Dell Griffith.

### GETS PRELIMINARY HEARING.

Last Monday at Leadwood the preliminary hearing of Ed Yarbrough was had, charged with assault with attempt to rape. Attorney Benham was present to look after the interest of the commonwealth. The hearing was before Squire Boon. Defendant was placed under \$1000.00 bond to await the action of the Circuit Court at the February term.

The case is one of those unfortunate and regrettable ones. But those implicated must be brought to justice. Yarbrough was arrested at Valley Park, this state and brought back to answer to the charge against him.

### TO GIVE BIBLE LECTURE.

Mr. Menta Sturgeon will deliver a lecture on the Bible, Saturday Dec. 20, 7:30 p. m. in hall over G. A. Wood's store near power house on our line. Everybody invited.

## It's Christmas At McKinney's

It would not be like Christmas if you could not secure A CHOICE VARIETY OF LUSCIOUS FRUITS. Long ago we put in our order for a big supply of the rarest, finest Fruits that grow—and that order will be shipped so as to reach us JUST IN TIME FOR XMAS.

ORANGES	GRAPE FRUITS
Choice fruit from California.	We handle only the best.
GRAPES	BANANAS
Our order reads, "Send only the best Tokay Grapes".	Some Bananas are better; the better kind found here.

You can find delicious APPLES at McKinney's place.

We can furnish you with Christmas decorations: EVERGREENS, MISTLETOE and HOLLY

### IT'S XMAS AT OUR BAKERY

You can buy A FRUIT CAKE and a good one!

Do you know our ANGEL-FOOD CAKES are always good? We are still baking bread of superior quality. McKinney's Bread is good for the entire family.

If you appreciate GOOD COFFEE order a can of the world's finest from McKinney's.

Phone 119 **McKINNEY'S** Farmington, Mo.